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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AARON MICHAEL SHAMO,

Defendant.

MOTION TO CONTINUE JURY TRIAL

Case No. 2:16-CR-00631 DAK

Judge Dale A. Kimball

The Defendant, Aaron Michael Shamo, by and through his counsel of record, Gregory G. Skordas, hereby moves this Court for a continuance of the Jury Trial currently set to begin May 22, 2017. This motion is made pursuant to the Speedy Trial Act, 18 U.S.C. §§3161 (H)(7)(b)(ii) and (iv) which allow this Court to grant the motion to continue where it finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy trial. Defendant bases this motion on the following:

1. Mr. Shamo first appeared in court on November 23, 2016 for a detention hearing and was assigned counsel, Adam Bridge.

2. Mr. Shamo appeared in court for arraignment on December 7, 2016. At that time the jury trial was scheduled within the required time period and set for February 13, 2017.

3. On January 5, 2017, the defense counsel, Adam Bridge, filed a motion to continue the jury trial, which was joined by the government.

4. On January 6, 2017, an Order granting the continuance was entered and the jury trial was then reset for May 22, 2017.

5. The time period from February 13, 2017 thru May 22, 2017 was excluded from speedy trial act calculations under the Order entered January 5, 2017.

6. Mr. Shamo's current counsel entered an appearance on May 11, 2017.

7. The jury trial is currently scheduled to commence on May 22, 2017 without this requested continuance.

8. This is the second request to continue the trial date.

9. The requested continuance and additional time sought is excludable under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161 (H)(7)(b)(ii), based on the grounds that this case involves charges of possession of narcotics with attempt to distribute against Mr. Shamo, which require detailed investigation and review of a significant amount of discovery. The government recently informed Mr. Shamo's counsel that they are seeking a superseding indictment, which likely will include co-conspirators and additional discovery.

10. The requested continuance and additional time sought is also excludable under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161 (H)(7)(b)(iv), based on the grounds that additional time is necessary for effective preparation, taking into account the exercise of due diligence.

11. An additional 90 days should be sufficient to accomplish the tasks set forth above and the requested time for continuance should be excluded from the Speedy Trial Calculation.

12. Counsel for the Government, Vernon Stejskal has been contacted about this continuance and does not object.

13. Mr. Shamo is currently in custody and agrees with counsel's reasons for the requested continuance as set forth above.

14. The impact of this request will continue the trial date scheduled and allow counsel the necessary time to complete the tasks set forth above.

For the reasons set forth above, the Defendant, Aaron Michael Shamo respectfully requests a continuance of the Jury Trial currently set to begin May 22, 2017, and requests that the additional time be excluded from the speedy trial calculation pursuant to 18 U.S.C. §§3161 (H)(7)(b)(ii) and (iv). A proposed Order is submitted with this Motion.

DATED this 15th May, 2017.

SKORDAS, CASTON & HYDE, LLC

/s/ Gregory G. Skordas
Gregory G. Skordas

CERTIFICATE OF SERVICE

I hereby certify that on the 15 May 2017, I electronically filed a true and correct copy of the foregoing **MOTION TO CONTINUE JURY TRIAL**, with the Clerk of the Court using CM/ECF system, which sent notification of such filing to the following:

S. Michael Gadd
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Vernon G. Stejskal
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/s/ Vicki Tolman, Secretary
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